

S.B.Cr. Misc. Petition No. 226/2006
(Madan Lal Jat Vs. State of Rajasthan & Anr.)

Date of order : 04/07/2006

HON'BLE MR.H.R.PANWAR, J.

Miss Sangeeta for the petitioner.

Mr. Ashok Upadhyay, public prosecutor for the State.

Heard learned counsel for the petitioner and public prosecutor.

By the instant criminal misc. petition under Section 482 Cr.P.C., the petitioner seeks quashing of FIR No. 07/2006 Police Station, Khatu Badi, district Nagaur for the offences under Sections 147, 148, 149, 447, 323 and 302 IPC.

I have carefully gone through the first information report. The first information report was registered on the parcha bayan of injured Ugma Ram who categorically stated in the FIR that accused Nasir, Bashir, Lala, Karim, Surajbhan, Raju, Suraj, Madan Jat and Ganpat Jat along with 15-20 persons came and assaulted him and his brother. They were armed with deadly weapon i.e. Farsi, pipe etc. His brother succumbed to the injuries in the way to hospital. He suffered numerous injuries. In the FIR it is clearly stated that a head injury has been caused to him by the present petitioner, Raju @ Rajendra and Ganpat. His brother Babulal also suffered injuries in the hands of the petitioner and other co-accused named including head injury.

From the perusal of the FIR, it is more than clear that the petitioner's presence at the place of occurrence, his participation as also causing injuries to the deceased and

injured, have been alleged. Thus, a bare reading of the first information report discloses the cognizable offences against the petitioner. In view of the decision of Hon'ble Supreme Court in State of Haryana Vs. Bhajan Lal, 1992 (Suppl.) 1 SCC 335, in my view, no case for quashing the FIR is made out. It cannot be said that the said FIR or the investigation in pursuance thereof would result in manifest injustice or abuse of process of Court. The criminal misc. petition is dismissed.

(H.R.PANWAR),J.

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